

CARDOZO LAW

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April 23, 2021

4/3/2021

The deadline is extended to July 12, 2021
This is without prejudice to further requests to
adjourn the deadline date

No order

Paul A. Crotty
Dated 4/3/21

BY ECF
Honorable Paul Crotty
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Joseph Olivieri*, 18 CR 316 (PAC)
Letter Motion to Adjourn Surrender Date

Dear Judge Crotty:

We represent Defendant Joseph Olivieri, who today filed a Motion to Modify Sentence and now asks this Court for an adjournment of the date by which he must surrender to begin serving his prison sentence. Without a Court order, Dr. Olivieri is required to surrender on May 5, 2021. The government consents to a two-month extension. Defendant asks that the Court adjourn his surrender date for two months, without prejudice for him to seek further adjournment should his request for compassionate release remain pending after two months.

Dr. Olivieri is seeking a modification of his sentence pursuant to 18 U.S.C. § 3582(c)(1)(A) due to compelling and extraordinary reasons that warrant a sentence of home confinement. Since Dr. Olivieri's sentence was imposed in May of 2020, his health conditions have severely deteriorated and Dr. Olivieri can no longer care for himself. As detailed at length in his motion seeking Compassionate Release, he requires the constant care of visiting nurses and home health aides, who help in all aspects of life—bathing, dressing, cooking, and changing his adult diapers due to his urinary and bowel incontinence. He has recently been diagnosed with congestive heart failure, bilateral pleural effusion, and dementia. Due to these health concerns, he is seeking a modification of his sentence to one of home confinement.

Defendant requests an adjournment of his surrender date to allow for the briefing and disposition of his motion for a modification of his sentence, filed concurrently with this letter. An adjournment is appropriate in light of Dr. Olivieri's deteriorating health conditions and the pendency of the Motion to Modify Sentence.